REMARKS

In accordance with the foregoing, the claims 1-5 are amended. Claims 6 and 7 are added. No new matter is added. Claims 1-7 are pending and under consideration.

REJECTIONS UNDER 35 U.S.C. §102

The Office Action rejects claims 1-5 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication 2002/0189499 by Jenkins et al. (hereinafter "Jenkins").

Jenkins is directed to a system and method for optimally resolving conflicts related to product availability, by creating time-phased inventory plans that meet customer requirements while minimizing inventory and maximizing profit by ensuring the right inventory at the right locations.

Claim 1 recites a computer program for realizing supply-demand planning in a supply chain in which switching information corresponding to a base and an item from a table is used to select performing either supply-demand planning per order or supply-demand planning based on total amount of orders.

In the Office Action on page 2, it is alleged that the switching information, the base and the item as recited in claim 1 are anticipated by the level in each stock-keeping unit (SKU), arrivals/orders, the destinations and/or sources of the SKUs in Jenkins. However, the switching information of claim 1 may be a type of flag used to determine how to perform the supply-demand planning. To clarify this intended meaning of the switching information in the context of claim 1, Applicants amend herewith the language to include the term "selectively" and replace the phrase construction "either of A and B" with "A or B". Applicants respectfully submit that these amendments aim to clarify the intended meaning of the switching information as described, for example, on page 5 of the originally filed specification and according to FIG. 2. The amendments are not a response to the rejections, but merely aim to make clear the claimed subject matter.

Jenkins does not teach or suggest "performing selectively, depending upon the switching information, a supply-demand planning per order or a supply-demand planning based on total amount of orders." Therefore, the prior art fails to teach or suggest every feature recited in the claim 1, so that claim 1 is patentably distinct over Jenkins. Accordingly, Applicants respectfully traverse and request reconsideration of the rejection based on Jenkins.[1] Claim 2 depending

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[1] See MPEP 2131: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," (Citations omitted) (emphasis added).

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from claim 1 is also patentable at least by inheriting patentable features from independent claim 1.

In the Office Action on page 3, claim 3 is rejected based on the same rationale as claim 1. Applicant respectfully note that the method recited in claim 3 includes at least a feature distinct from the features recited in original claim 1, namely, "**creating a table** containing switching information corresponding to a base and an item" (emphasis added). Claim 3 is also amended herewith and patentably distinguishes over Jenkins at least by reciting "performing selectively, depending upon the switching information, a supply-demand planning per order or a supply-demand planning based on total amount of orders."

Claim 4 is patentable over Jenkins by reciting "fetching switching information corresponding to a base and an item from a table" and "performing selectively, depending upon the switching information, a supply-demand planning per order or a supply-demand planning based on total amount of orders."

Claim 5 is also patentable over Jenkins at least by reciting "making the supply demand planning in the whole chain by selectively using the procurement-driven planning or the manufacturing-driven planning based on switching information that is associated with a combination of a base and an item."

NEW CLAIMS

Claims 6 and 7 are directed to a supply-demand planning system and are fully supported by the originally filed specification, for example FIG. 1 and the description between page 4, line 11 and page 5 line 8. Claims 6 and 7 are patentable at least by reciting "a table of orders, each order relating to an item and an entity within a supply chain and including switching information related to either a procurement-driven supply-demand planning or a manufacturing-driven supply-demand planning" and "a planning unit that generates a supply-demand plan according to the procurement-driven supply-demand planning or the manufacturing-driven supply-demand planning associated with the switching information."

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.
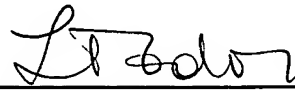
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: Nov. 2, 2006   By: _____

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